

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6693

BILL NUMBER: SB 145

NOTE PREPARED: Jan 31, 2006

BILL AMENDED: Jan 26, 2006

SUBJECT: Vehicle Forfeiture and Driving While Intoxicated.

FIRST AUTHOR: Sen. Young R Michael

BILL STATUS: As Passed Senate

FIRST SPONSOR: Rep. Duncan

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill has the following provisions:

Forfeiture Permitted: The bill permits the forfeiture of a motor vehicle operated by a person who has at least two prior unrelated convictions in the previous five years for operating while intoxicated if the person commits operating a motor vehicle while intoxicated or operating a motor vehicle with a suspended driver's license. The bill provides that a motor vehicle that is not owned by the person or the spouse of the person who unlawfully operated it may not be seized unless the owner knew that the vehicle would be unlawfully operated.

Registration Prohibition: The bill prohibits the Bureau of Motor Vehicles (BMV) from registering a motor vehicle in the name of a person whose motor vehicle has been forfeited until the person proves that the person possesses a current driving license.

Effective Date: July 1, 2005; July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues: (Revised) *Forfeiture Permitted:* Vehicles forfeited and seized by law enforcement agencies under this provision can be used by the particular agency that seized the vehicle and then can be sold at auction. The proceeds are deposited in the Common School Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: See *Explanation of State Revenues*.

State Agencies Affected: State Police; Conservation, Excise, and Gaming Officers.

Local Agencies Affected: Law Enforcement agencies.

Information Sources:

Fiscal Analyst: James Sperlik, 317-232-9866.